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13 Attorneys for Defendant,
CITIBANK, N.A.

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

18 JEREMIAH REVITCH, on behalf of himself
and all others similarly situated,

CASE NO. 3:17-cv-06907-WHA

**DEFENDANT CITIBANK, N.A.'S
PRETRIAL DISCLOSURES PURSUANT
TO F.R.C.P. 26(a)(3)**

Plaintiff,

V.

CITIBANK, N.A.,

Defendant.

1 **TO THE COURT, PLAINTIFF AND HIS ATTORNEYS OF RECORD:**

2 Pursuant to Federal Rule of Civil Procedure 26(a)(3), and this Court's Guidelines for
3 Trial and Final Pretrial Conference in Civil Jury Cases, defendant Citibank, N.A. ("Citibank"),
4 by and through its undersigned counsel, makes the following pretrial disclosures.

5 **I. The name and, if not previously provided, the address and telephone number of
6 each witness—separately identifying those the party expects to present and those it
7 may call if the need arises.**

8 Citibank expects to call the following witnesses:

- 9 A. Plaintiff Jeremiah Revitch
10 B. Kelly Rainwater, Citibank, N.A., c/o counsel for Citibank, N.A.
11 C. Alan B. Exelrod
12 D. David P. Kalat; Berkeley Research Group, 70 W. Madison, Suite 5000, Chicago,
13 IL 60602-4204; O 312.429.7900.

14 Addresses and/or telephone numbers for the foregoing individuals were previously
15 provided and/or can be provided on a confidential basis to the extent the information is covered
16 by the Court's May 9, 2019 Order re Administrative Motions to File Under Seal.

17 Citibank may call the following witnesses if the need arises:

- 18 A. Margaret Daley; Berkeley Research Group, 70 W. Madison, Suite 5000, Chicago,
19 IL 60602-4204; O 312.429.7900.

20 **II. The designation of those witnesses whose testimony the party expects to present by
21 deposition and, if not taken stenographically, a transcript of the pertinent parts of
22 the deposition.**

23 While Citibank does not expect to present testimony by deposition, Citibank may present
24 the testimony of Alan B. Exelrod, which was taken stenographically, by deposition. Citibank
25 will designate the deposition transcript pursuant to the requirements of the Court's Guidelines for
26 Trial and Final Pretrial Conference in Civil Jury Cases.

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III. An identification of each document or other exhibit, including summaries of other evidence—separately identifying those items the party expects to offer and those it may offer if the need arises.

Citibank expects to offer the following documents and/or exhibits:

- A. Call data relating to calls made to the phone number 415-987-9800; CITI_REVITCH02369-87.
 - B. Records pertaining to the Citibank credit card account, which contains the phone number 415-987-9800; CITI_REVITCH02406-26, 2929-3050.
 - C. Declaration of David P. Kalat, and accompanying exhibits; dated January 7, 2019.
 - D. Supplemental Declaration of David P. Kalat, and accompanying exhibits; dated May 23, 2019.

Citibank may offer the following documents and/or exhibits if the need arises:

- A. Recordings of calls made to the phone number, 415-987-9800; CITI_REVITCH2399-2405.
 - B. Procedures and policies relating to debt collection practices, including the Telephone Consumer Protection Act, handling Do-No-Call requests, Call Handling, and Handling Address and Phone Number Changes; CITI_REVITCH01431-2368.
 - C. Processes for updating and/or changing contact via digital channels (i.e., online and mobile apps); CITI_REVITCH02427-2504.

Dated: June 14, 2019

BALLARD SPAHR LLP

Daniel JT McKenna
Marcos D. Sasso

By: /s/Marcos D. Sasso

*Attorneys for Defendant,
Citibank, N.A.*

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of June, 2019, I electronically filed a true and correct copy of the foregoing **DEFENDANT CITIBANK, N.A.'S PRETRIAL DISCLOSURES PURSUANT TO F.R.C.P. 26(a)(3)** through the Court's CM/ECF system, which will send a notice of electronic filing to all parties.

/s/ Marcos D. Sasso
Marcos D. Sasso

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